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Summary record of the 28th meeting
Held at Headquarters, New York, on Monday, 5 December 2005, at 10 a.m.

Chairman: Mr. Ashe ..... (Antigua and Barbuda)
later: Mr. Muhith (Vice-Chairman) ..... (Bangladesh)
later: Mr. Ashe (Chairman) ..... (Antigua and Barbuda)
Acting Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Saha

Contents

Organization of work

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The meeting was called to order at 10.10 a.m.

Organization of work

1. **Ms. Van Buerle** (Officer-in-Charge of the Programme Planning and Budget Division), responding to concerns raised at the Committee's 27th meeting about the late issuance of documentation, said that a number of reports were in translation but would be issued shortly, including the second financial and programme performance reports on the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda for the biennium 2004-2005. The estimates in respect of special political missions were still under preparation. Information had been requested from the relevant substantive offices as early as August 2005. However, submissions continued to be received from the missions in Afghanistan and Sierra Leone owing to developments on the ground. The second performance report for the programme budget for the biennium 2004-2005 and several addenda thereto were also still under preparation because of the need for recosting to reflect the most recent rates of exchange and inflation; the report should be issued by the end of the week. Depending on the progress made by the Committee, revised estimates reflecting the effect of changes in the rates of exchange and inflation on the level of the proposed programme budget for the biennium 2006-2007 should be available by the end of December. The reports on the utilization of the contingency fund and of the provision for special political missions should also be available at that time.

2. **Mr. Saha** (Acting Chairman of the Advisory Committee on Administrative and Budgetary Questions (ACABQ)) said that the Advisory Committee had begun its consideration of the statements of programme budget implications contained in documents A/C.5/60/12, A/C.5/60/14, A/C.5/60/15 and A/C.5/60/17 and of the programme budget implications of the construction of additional office facilities at the Economic Commission for Africa in Addis Ababa, but was awaiting additional information from the Secretariat. The related reports of ACABQ should be available the following week. The reports of the Secretary-General on the proposed budget for the International Trade Centre UNCTAD/WTO for the biennium 2006-2007 (A/60/6(Sect.13)/Add.1) and on the financial situation of the International Research and Training Institute for the Advancement of Women (A/60/366) would be taken up later that day, and the reports of the Secretary-General on the budgets for the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda for the biennium 2006-2007 (A/60/264 and A/60/265) would be considered the following day. The related reports of ACABQ should be issued during the week of 12 December 2005. On 6 December 2005 the Advisory Committee would begin consideration of its draft report on the programme budget implications of the 2005 World Summit Outcome. That report, too, should be issued the following week.

3. **Ms. Taylor Roberts** (Jamaica), speaking on behalf of the Group of 77 and China, expressed regret that the representative of the Secretariat had merely stated which reports were outstanding, instead of explaining why those reports, most of which were routine documents issued on an annual basis, were being issued late.

4. **Ms. Van Buerle** (Officer-in-Charge of the Programme Planning and Budget Division) said that it was standard practice to issue the second financial and programme performance reports on the two Tribunals later in the session, so as to take account of the most recent data on rates of exchange and inflation. Those reports could not therefore be considered to be late. Regarding the estimates in respect of special political missions, she stressed the significant increase in the number, scope and complexity of such missions, noting that, in successive resolutions, the Secretariat had been requested to provide ever more information concerning them. Her staff had also devoted a great deal of time to the preparation of revised estimates in follow-up to the 2005 World Summit Outcome. Given the numerous priorities to be addressed, it was inevitable that the issuance of some reports would be delayed.

5. **Ms. Skaare** (Norway) expressed concern about the lack of progress in the negotiations on the proposed programme budget for the biennium 2006-2007 and about the possibility that the Committee might have to adopt a partial budget as an interim measure. Given the Organization's precarious cash-flow situation, the adoption of a budget covering only the first few months of the biennium would jeopardize the implementation of the programmes and mandates approved by Member States, including the package of reforms agreed upon by Heads of State and Government at the 2005 World Summit. The Committee must accord the highest priority to the deliberations on the proposed programme budget. Her delegation would be prepared to work around the clock to achieve agreement on a draft resolution on the budget. In that connection, it wished to encourage all

Member States to negotiate in a constructive manner. Taking into account the Committee's heavy workload, it might be necessary to defer consideration of certain agenda items not directly related to the budget, such as the items on administration of justice, the United Nations common system, the Joint Inspection Unit and programme planning.

6. **Ms. Taylor Roberts** (Jamaica), speaking on behalf of the Group of 77 and China, said that she failed to see how the issuance of the second financial and programme performance reports on the two Tribunals could be regarded as timely. The Group shared the concern expressed by the representative of Norway about the large number of outstanding items. However, it was premature to identify items for deferral. The Committee should make every effort to complete its consideration of those issues on which reports had already been introduced; the Bureau should adjust the programme of work accordingly. The Group would strongly support the holding of night and weekend meetings in order to facilitate the Committee's work. The Secretariat should begin to make the necessary arrangements for the provision of interpretation services at those meetings.

7. **Ms. Galvez** (United Kingdom), speaking on behalf of the European Union, expressed deep disappointment at the slow pace of the Committee's work. The lack of progress was partly attributable to the late issuance of documentation. However, the Committee must also examine its own working methods to see how it could make better use of its time. The European Union saw no reason why draft resolutions must be introduced at a formal meeting before informal negotiations on them could begin. Little was achieved, since delegations merely stated positions that they would later reiterate in informal consultations. The European Union proposed that the texts of draft resolutions should instead be circulated to delegations for consideration and that, after an appropriate period had elapsed, the Committee should then proceed to negotiations without awaiting the formal introduction of the draft resolutions. That would be a simple, yet effective, way of expediting the Committee's work.

8. The European Union agreed that the explanations provided for the late issuance of documentation were unsatisfactory and that steps should be taken to address the situation. Greater accountability was needed in cases where programme managers failed to comply with the slotting system for the submission of documents.

9. The Bureau should be requested to remove from the programme of work all non-urgent issues, so that the Committee could focus on those matters that required a decision at the main part of the session. The Advisory Committee should also review its programme of work. The European Union would expect it to concentrate on time-bound issues, including the revised estimates, the estimates in respect of special political missions, the budgets for the two Tribunals and the second performance report for the programme budget for the biennium 2004-2005. Any outstanding reports from the Secretariat should be issued immediately.

10. As to the proposal made by the representative of Jamaica on behalf of the Group of 77 and China, the European Union would consider the holding of night and weekend meetings a retrograde step. It did not believe that such meetings would expedite the Committee's work, and it was firmly opposed to the holding of such meetings to discuss non-urgent issues. However, like the Norwegian delegation, it would be willing to work as hard as was necessary once draft resolutions on the proposed programme budget and other time-bound issues were on the table.

11. **Mr. Garcia** (United States of America) urged the Committee to bear in mind, when deciding whether to defer the item on the common system, that the General Assembly's decisions on the recommendations of the International Civil Service Commission would affect the conditions of service of more than 40,000 United Nations staff. With regard to the proposal to hold night and weekend meetings, his delegation shared the views expressed by the representative of the United Kingdom on behalf of the European Union.

12. **Mr. Torres Lépori** (Argentina), speaking on behalf of the Rio Group, expressed concern about the lack of progress in the Committee's work. He proposed that, in the time remaining, the Committee should focus on a limited number of priority issues. In that connection, he emphasized that the Committee, not the Bureau, should determine what those issues were. That discussion should perhaps take place in "informal" informal consultations. Delegations should consider carefully all the proposals put forward, including the possibility of holding night and weekend meetings, subject to the availability of conference services. Regarding the proposal made by the representative of Norway, the Rio Group believed that the Committee should take action on the report of the International Civil Service Commission (A/60/30) at the main part of the session. It did not, however, regard the report of

the Panel on the Strengthening of the International Civil Service (A/59/153) as a priority.

13. **Mr. Kozaki** (Japan) said that his delegation shared the views expressed by the representative of the United Kingdom on behalf of the European Union. In particular, it agreed that the Committee should concentrate on urgent, time-bound issues. Such issues included the proposed programme budget for the biennium 2006-2007, the revised estimates, the management reform proposals contained in the 2005 World Summit Outcome, the estimates in respect of special political missions, the second performance report, the capital master plan and the amendments to the Staff Regulations and Rules. Realistically, the Committee was unlikely to achieve a consensus on the text of a draft resolution on the scale of assessments at the main part of the session. Lastly, his delegation concurred that holding night and weekend meetings would not expedite the Committee's work.

14. **Mr. Elnaggar** (Egypt) said that the meeting had not been convened in order to produce a list of items for deferral. Moreover, there appeared to be divergent views on which items were priorities. For example, his delegation did not agree that the scale of assessments was a non-urgent issue. There was, in fact, no definition of what constituted a priority item. The situation facing the Committee was due in large part to the late issuance of documentation. While he understood that the Secretariat had had to give priority to certain reports, that did not mean that the Committee should defer consideration of all other matters.

15. With regard to the criticism of the Committee's working methods expressed by the representative of the United Kingdom on behalf of the European Union, he pointed out that, in the resolutions on General Assembly revitalization, the Fifth Committee's working methods and practices were cited as a model for the other Main Committees to follow. Furthermore, those methods and practices were well established, and it was not appropriate at the current stage of the Committee's work for delegations to seek to change them. Lastly, he noted with regret that the delegations that had criticized the slow pace of the Committee's work were the same ones that were now objecting to the holding of night and weekend meetings. His delegation would be willing to work at night and on weekends, provided that conference services were available.

16. **Ms. Zobrist Rentenaar** (Switzerland) said that she shared the concern expressed by previous speakers about the status of the Committee's negotiations. However, her delegation could not agree to the holding of night and weekend meetings without a clear decision by the Bureau on which items were to be deferred. Once such an understanding had been reached, her delegation would be ready to work around the clock to ensure that the Committee completed its work.

17. *Mr. Muhith (Bangladesh), Vice-Chairman, took the Chair.*

18. **Mr. Garcia** (United States of America) said that the Committee should have taken up the report of the Panel on the Strengthening of the International Civil Service (A/59/153) at the General Assembly's fifty-ninth session. To again defer consideration of issues relating to the United Nations common system would send the wrong signal to the Organization's 40,000 staff members. The Committee must be willing to discuss not only salaries and allowances, but also the possibility of reforming the way in which those issues were approached.

19. **Mr. Ramlal** (Trinidad and Tobago) said that the delegations' primary objective should be to determine how they could work together in the collective interests of the Organization. The adoption of the programme budget was the Committee's main priority. The Committee would certainly need to schedule evening meetings, and it was not the time to express entrenched positions on procedural matters. The Chairman should engage in intensive consultations with the Bureau and the regional groups in order to work out a constructive proposal for moving the Committee's work forward.

20. *Mr. Ashe (Antigua and Barbuda) resumed the Chair.*

21. **Mr. Sun** Xudong (China) said that the Committee was at a critical juncture in its proceedings. If it did not make certain adjustments in its meeting schedule, it would not be able to complete its work. There was more at stake than simply trying to save money.

22. **Ms. Kinnear** (Canada), speaking also on behalf of Australia and New Zealand, said that she shared the concerns of many delegations — in particular, Japan, Norway, Switzerland, the United Kingdom on behalf of the European Union, and the United States — regarding the Committee's slow progress. Her delegation was certainly prepared to participate in evening and weekend meetings, once a budget proposal had been agreed upon. The Committee should focus on urgent and time-bound items, but if evening and weekend meetings were to be held, they should not

require conference services. Canada, Australia and New Zealand had always worked very constructively within the hours allotted, in a spirit of flexibility and cooperation, they would continue to do so.

23. **Ms. Lock** (South Africa), speaking on behalf of the Group of African States, said that the Group fully supported the statement made by the representative of Jamaica on behalf of the Group of 77 and China. The late issuance of documents was a matter of serious concern, and the situation appeared to grow worse with each passing year. The Bureau should raise the matter with the Secretariat, and the Committee might also consider taking stronger action in that regard.

24. Her delegation understood that there were time-bound issues which must be settled before the end of the main part of the session, and agreed that the Committee should use the remainder of the week to conclude its consideration of items that had already been introduced, and on which the Committee had either already concluded a first reading or was in the process of doing so. However, it was not just time-bound issues that needed to be decided upon. Many of the agenda items before the Committee related very directly to the oversight and functioning of the Organization and to its accountability. The Group of African States therefore failed to see why the Committee would consider not addressing them. The Committee's work related not only to financing issues but also to the Organization's effective functioning, and the Group certainly intended to finalize the related resolutions.

25. Unlike certain delegations, those of the Group were prepared to work day and night — and on weekends if necessary — to conclude the Committee's work. The Group was very surprised to hear certain delegations making linkages between agenda items. The Committee had never taken that approach, which was not a constructive one. The Committee's workload at the resumed session would be very heavy and the Group did not intend to add to that burden. The Group was not willing to consider the deferral of any items or to begin consideration of certain agenda items only after the programme budget had been introduced. It was not for the Bureau, but for the Committee, to decide which items should be deferred. In that context, the Committee might wish to revisit the General Assembly's rules of procedure. Delegations should also work constructively with coordinators. However, the Committee should not engage in too lengthy a discussion on procedural matters.

26. The Group was very surprised at the positions taken by certain delegations. It did not see how they could say that they were willing to work, but were not willing to meet outside normal working hours in order to clear the agenda and thus allow more time later to consider the programme budget. The Advisory Committee should try to reorganize its programme of work. It was difficult to see how the Committee could have a useful discussion and a constructive outcome regarding certain very important agenda items if the relevant documentation was not going to be available until 22 December 2005.

27. **Ms. Galvez** (United Kingdom), speaking on behalf of the European Union, said that certain delegations appeared to have a misunderstood her earlier statement. The European Union was ready to work for as long as necessary, and whenever necessary, to successfully conclude the items that it considered to be time-bound and financially sensitive. That did not imply that the European Union regarded other issues as unimportant, but rather that failure to produce a resolution on those issues within the coming two or three weeks would not be disastrous.

28. She had deliberately not stated which items were time-bound and financially sensitive. Her suggestion had been that the Bureau should explore that question and, if necessary, seek the views of the Committee. There were certain items which must be concluded before the end of the main part of the current session. The European Union was not objecting to the scheduling of evening and weekend meetings merely because it wished to save money. Its main objection was that to do so would not greatly advance the Committee's negotiations, since delegations had not yet finished stating their positions and there was as yet no sense of urgency that resolutions must be finalized. Moreover, since agreed language had not yet been arrived at in the case of most unfinished items, it would be pointless to schedule night meetings.

29. **Ms. Taylor Roberts** (Jamaica), speaking on behalf of the Group of 77 and China, said that she had raised the possibility of scheduling evening and weekend meetings in order to ensure that the Secretariat would be ready to do so if required. All the indications were that such meetings would be required. Moreover, all delegations were entitled to interpretation in the official languages of the Organization, and that would be especially necessary in view of the technical nature of some of the issues before the Committee.

30. **Mr. Kozaki** (Japan) said that his delegation attached great importance to the issues of the scale of assessments and the capital master plan and was also willing to attend evening and weekend meetings if necessary. However, it was the practice of the Committee to hold "informal" informal consultations without interpretation, and there was no reason to change the practice at the current stage. Since delegations tended merely to reiterate their positions in formal meetings, the "informal" informal setting would be more conducive to achieving consensus.

31. **Ms. Skaare** (Norway) said that it was the delegations' responsibility to produce the necessary outcomes for the Organization before the end of the main part of the session. Norway was ready to do everything necessary to complete the Committee's work, but felt that the Committee could legitimately consider prioritizing the outstanding agenda items. She agreed that delegations should reflect on the signal that the Committee would send to the Organization's staff and their families if it failed to consider the item on the United Nations common system, but they should also reflect on the signal that a failure to produce a budget would send to the Organization, the staff, and indeed the world. The Committee's top priority for the main part of the session was therefore to conclude negotiations on the 2006-2007 programme budget.

32. **Mr. Mazumdar** (India) said that, with regard to the issue of scheduling extra meetings, his delegation endorsed the statements made by the representative of Jamaica on behalf of the Group of 77 and China and by the representative of South Africa on behalf on the Group of African States. The Committee was in an extraordinary situation which required extraordinary measures. Entrenched positions should therefore be suspended in order to move the Committee's work forward. There were a number of issues on which language had been approved, and it was well within the Committee's reach to agree on the related resolutions. The Group of 77 and China was willing to negotiate on every resolution before the Committee, and progress could be made if extra meetings were scheduled. Since the Committee did not have time to hold informal consultations, it should agree to hold extra meetings provided with full conference services, on an extraordinary basis.

33. **Mr. Sun** Xudong (China) recalled that the main part of the session was scheduled to conclude on 9 December 2005. If extraordinary measures were not taken, the Committee would not finish its work on time and would have to continue meeting for a few more weeks. Delegations should therefore take a realistic approach to the issue of whether or not evening and weekend meetings should be scheduled.

34. **The Chairman** said that the Bureau could not simply identify a list of items which would then be regarded as the de facto programme of work, because there had been no broad consultation on any particular list; there had only been a series of suggestions that represented the preferences of individual delegations or groups. In deciding on the way forward, the Committee should recall that it deferred items to the next session, it would only be postponing the problem it currently faced, as its workload at the next session would be compounded by the deferred items.

35. Although it would be possible for the Committee to complete its work within a revised time frame, it clearly could not do so by 9 December 2005, since the Advisory Committee had stated that certain documentation would not be ready until the week beginning 12 December 2005, at the earliest. A more realistic completion date would therefore be 23 December 2005, depending on the availability of documentation.

36. The Committee would need to take a decision, at some point, on whether to schedule evening and weekend meetings, and he welcomed the suggestion that he should consult with delegations on that issue. It should be borne in mind, however, that Bureau members represented regional groups, and therefore could not take decisions without consulting with their respective groups; the decision would thus be taken by the Committee as a whole. Following consultations, the Chairman would make a proposal as to how the Committee's work should be addressed.

The meeting rose at 11.20 a.m.